

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, OCTOBER 24, 2002
8:15 A.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:20 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, OCTOBER 15, 2002 AND THURSDAY, OCTOBER 17, 2002

Stevens asked that the Staff Meeting minutes of October 17, 2002 be corrected as follows:

- * Item 4, Paragraph 9 - Change July, 2001 to July, 2002 and change September 9, 2001 to September 9, 2002
- * Item 12D, Paragraph 1 - Change \$32,000 to \$38,000

MOTION: Heier moved and Stevens seconded approval of the Staff Meeting minutes of October 15, 2002 and October 17, 2002, as corrected. Stevens, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

Hudkins arrived at 8:24 a.m.

2 ADDITIONS TO THE AGENDA

- A. Region V Questionnaire
- B. Holiday Calendar
- C. Schedule Public Hearing on Comprehensive Plan Amendments
- D. County Flag for City Council/County Commissioners Hearing Room

MOTION: Heier moved and Stevens seconded approval of the additions to the agenda. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Families First & Foremost (F³) Conveners Group - Heier

Heier said a new group with members from the Conveners and stakeholders was formed to bring principles forward for the Lancaster County Comprehensive System of Care.

B. Floodplain Task Force - Heier

Heier said a report will be coming forward that pertains primarily to the City.

C. Downtown Lincoln Association (DLA) Board - Stevens

Stevens said some members of the DLA Board disagreed with the letter from the County Board regarding the County's proposal to relocate Aging and Urban Development in Trabert Hall.

D. General Assistance Monitoring Committee - Campbell, Stevens

Campbell said a report was received from Judy Halstead, Resource and Program Development Coordinator for the Lincoln/Lancaster County Health Department (LLCHD), on a proposal to establish a Community Health Center for Lincoln. She said Pat Lopez, LLCHD, reviewed recommendations from the General Assistance (GA) Study and was asked to meet with representatives of Nebraska Department of Health and Human Services (HHS) and report back on whether the plan can be met. Options are to: 1) Continue contract with HHS local office and implement study recommendations; 2) Reassign entire GA Program to existing county or city/county department; and 3) Reassign all GA medical components to LLCHD and all other GA Plan components to an existing county department.

E. Juvenile Attention Center Advisory Committee - Heier

Heier said doorframe hinges remain a problem at the facility.

F. Community Mental Health Center Advisory Committee - Stevens

Stevens said arrangements have been made to staff the Sex Offender Program. He also reported on the Independent Living Unit Project.

ADDITIONS TO THE AGENDA

A. Region V Questionnaire

Heier circulated a questionnaire received from Region V.

B. Holiday Calendar

Board consensus was to not hold Board of Commissioners Meetings on December 24, 2002 or December 31, 2002 or Staff Meetings on December 26, 2002 or January 2, 2003.

C. Schedule Public Hearing on Comprehensive Plan Amendments

The Board scheduled a public hearing on the November 26, 2002 Board of Commissioners Meeting agenda (Exhibit A).

D. County Flag for City Council/County Commissioners Hearing Room

Kerry Eagan, Chief Administrative Officer, said a staff member had suggested that a county flag be placed in the City Council/County Commissioners Hearing Room. He estimated the cost at \$1,200.

4 ROAD IMPROVEMENTS IN COUNTY SUBDIVISIONS - Don Thomas, County Engineer; Diane Staab, Deputy County Attorney

Campbell explained that the Yankee Ridge Neighborhood Association had requested clarification and review of the County's road maintenance and improvement policies and had asked the Board to consider creating a Rural Road Improvement District (Landowners petition and form a district and may request the County to finance all or a portion of the road improvements. The County would enforce payment of assessments). The matter was referred to the County Attorney's Office.

Diane Staab, Deputy County Attorney, said she has reviewed the matter and does not believe creation of a Rural Road Improvement District is in the County's best interests. She explained that the policy has been to have the group that wants a road to be of a higher surface type assume responsibility for costs, unless the County has a greater interest and requires the road to be improved.

In response to a question from Hudkins, Staab said she does not believe state statutes require the County to pave rural subdivision roads.

Heier suggested offering bonus lots to developers that are willing to pay for paving within new subdivisions.

In response to a question from Hudkins, Larry Worrell, County Surveyor, explained that the County will accept subdivision roads that have been improved for maintenance, provided all of the roads within the subdivision have been improved and there are no decorative islands.

Don Thomas, County Engineer, said there are standards in place for subdivisions and said surface type is dependent upon acreage size. He said the County has approximately 40 miles of gravel subdivision roads and asphaltting them would cost approximately \$7 million.

Campbell questioned where the Rural Road Improvement District would be placed in the list of priorities, given the tight budget situation and cautioned the Board that other requests will be forthcoming if a Rural Road Improvement District is approved for one subdivision.

5 SOUTHEAST SALT CREEK WATERSHED PLAN - Allan Abbott, City Public Works/Utilities Director; Nicole Fleck-Tooze, City Public Works/Utilities; Don Thomas, County Engineer; John Cambridge, Olsson Associates

Nicole Fleck-Tooze, City Public Works/Utilities, and John Cambridge, Olsson Associates, gave an overview of the Southeast Upper Salt Creek Watershed Stormwater Master Plan (Exhibit B), noting the following goals and objectives:

- * Preserve stream bed and banks that are stable and improve stability of those at risk
- * Reduce flood hazard to existing and future buildings and infrastructure
- * Coordinate components to provide multipurpose use potential
- * Improve water quality and preserve or restore instream and riparian habitat
- * Identify funding opportunities

Cambridge said two concept master plans evolved from the public involvement and input process: Concept Plan A - Preserve existing floodplain (Approximate cost - \$9,069,000) and Concept Plan B - Preserve a flood corridor with regional storage facilities (Approximate cost - \$11,860,000). He said Concept Plan A is recommended because it meets all of the stormwater management goals established for the watershed at a significantly lower public cost than the alternative plan. Cambridge said stormwater projects have historically been handled through stormwater bond issues, general revenue appropriations and cooperative cost sharing between the City and Lower Platte South Natural Resources District (NRD) on mutually beneficial projects. He said there is potential for Federal Highway Administration and Nebraska Department of Roads assistance for the bridges and culverts, noting private funding of stormwater detention facilities has also been used in the past.

Fleck-Tooze said the projects proposed as part of the master plan were identified as part of doing a more detailed hydrologic and hydraulic study, meeting City design standards and accommodating future urban growth. She noted that the County Engineer has concerns about the division of responsibility and what would happen if the County had identified a project for a particular area prior to annexation. Fleck-Tooze said she believes there is a lot of flexibility in the text of the master plan and said those concerns are being worked out.

Allan Abbott, City Public Works/Utilities Director, said concerns center on the additional cost of building a structure to City standards and said he believes it is appropriate for the City to help pay for the difference. The problem will be whether his department has funds available at the time the County is doing the work.

Fleck-Tooze said the next step will be adoption by reference to the Comprehensive Plan. There will then be opportunities to look for funding sources, a basis to seek grants and a framework for identifying projects in the stormwater bond issue.

In response to a question from Campbell, Fleck-Tooze said the Beal Slough Basin Stormwater Master Plan was adopted by reference to the Comprehensive Plan and \$1 million dollars was identified within the City's most recent stormwater bond issue to go toward projects to implement the master plan. She said the Lower Platte South NRD is also providing funding within the master plan and stream stability projects, stormwater storage and wetland components within the master plan have been implemented.

Hudkins said it appears that Concept Plan B would require less structures on Rokeby Road and asked whether any are envisioned as road dams.

Cambridge said yes, explaining that the plans are identical upstream of 48th Street, other than bridge improvements interior to some existing developments.

Don Thomas, County Engineer, said Rokeby Road is scheduled for grading in 2005 and said if the master plan goes in the Comprehensive Plan, the grading will be considered to be in non-conformance. He said the County also has plans to replace a narrow bridge on South 27th Street along Saltillo Road at a cost of \$120,000 and said the bridge proposed in the master plan will cost \$2.5 million. Thomas said these projects can't be delayed for years to allow funding to come through.

Abbott said he doesn't want to see the master plan held up because of problems on one or two sites.

6 STREET VACATION NO. 02010, WEST 18' OF MADISON STREET IN WALTON, NEBRASKA - Mike DeKalb, Planning Department; Larry Worrell, County Surveyor

Mike DeKalb, Planning Department, reviewed Street Vacation No. 02010, a petition for vacation of a portion of Madison Street that is adjacent to the petitioners' lot to accommodate the existing house, noting a recommendation of approval from Planning Staff and the Planning Commission (Exhibit C). This is a county road in the City's three-mile zoning jurisdiction and requires approval by both the City Council and County Board (City Council has approved the request). He said the County Engineer has requested a reversionary clause and said one was included when a road vacation was approved north of this property.

Stevens noted a discrepancy in the stated lot size.

Heier questioned the need for the reversionary clause.

Larry Worrell, County Surveyor, explained that streets will be improved with City expansion and sufficient right-of-way will be required. He noted that the street south is still open, although not used, and said property owners to the west have expressed interest in development of their land, which is currently farmland.

7 A) FIRST RESPONDER GRANT REQUEST; B) "A" STREET OVERPASS SIREN RELOCATION; AND C) MOBILE COMMAND POST - Doug Ahlberg, Emergency Management Director

A) First Responder Grant Request

Doug Ahlberg, Emergency Management Director, said the Nebraska Emergency Management Agency (NEMA) notified him in September, 2002 that the State will be allocated \$3,347,000 in carryover funds for First Responder Grants and that Lancaster County is eligible to apply for a portion of these funds. A committee of first responders was convened to compile a "wish list" and is in the process of writing justifications for each item requested. Communications equipment and personal protective equipment for first responders are listed as priorities, with a total request of more than \$2 million. Ahlberg said assurances are needed from the County Board for the grant application.

The Board referred the assurance document to the County Attorney for review.

B) "A" Street Overpass Siren Relocation

Ahlberg said a viaduct is being constructed over the railroad tracks on "A" Street and an outdoor warning siren on 5th & "A" Street will need to be relocated to 1st & "A" Street. He said the siren was not scheduled for replacement for two years but recommended that it be replaced at this time, with payment through the viaduct project.

MOTION: Hudkins moved and Campbell seconded to approve replacement of the siren. Stevens, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

C) Mobile Command Post

Ahlberg said the State has purchased a new mobile command post and plans to surplus its current vehicle, with the requirement that it serve as a backup unit for the State. He recommended that the County submit a sealed bid, stating the vehicle can be made functional with minimum investment. He noted that no funds were budgeted for this purpose.

MOTION: Hudkins moved and Stevens seconded to the Emergency Management Director to proceed in an appropriate manner to try to acquire the surplus vehicle. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

8 PENSION REVIEW SERVICES REQUEST FOR PROPOSALS (RFP) - Doug Cyr, Deputy County Attorney; Dave Kroeker, Budget and Fiscal Officer; Kathy Smith, Assistant Purchasing Agent

Kathy Smith, Assistant Purchasing Agent, said the Pension Services Evaluation Committee reviewed three Requests for Proposals (RFP's) for review of the current County Employee Pension Plan and has recommended that the County contract with Segal Advisors.

Doug Cyr, Deputy County Attorney, said the contract will be broken into four phases: Phase I: Initial pension plan review; Phase II: Development of an investment plan; Phase III: Assistance in bidding; and Phase IV: Investment advice, as needed. He said it may not be necessary for the County to proceed beyond Phase I (\$10,000 cost).

Hudkins said he is reluctant to spend that amount for an opinion.

Eagan said the Pension Services Evaluation Committee lacks expertise in these areas and said Phase I will provide the County with information and strategies that it currently lacks. He said Segal Advisors did not see a downside to giving the current plan provider notice of non-renewal of the present plan and said it will not preclude the County from contracting with the current plan provider in the future.

MOTION: Campbell moved and Stevens seconded to proceed with a contract with Segal Advisors, for Phase I only.

In response to a question from Campbell, Cyr said Segal Advisors will review the current provider's scope of services.

Kroeker noted that education has been one area of concern.

ON CALL: Workman, Stevens, Heier, Campbell and Hudkins voted aye. Motion carried.

9 FEE FOR SERVICE CONTRACT UNDER INTEGRATED CARE COORDINATION UNIT (ICCU) - Nyla Helge, Families First & Foremost (F³) Grant Program

Nyla Helge, Families First & Foremost (F³) Grant Program, presented copies of the fee-for-service agreement and provider application packet (Exhibit D), noting further review of the addendums is needed.

Dave Johnson, Deputy County Attorney, said the County Attorney's Office has reviewed the agreement for standard language but will not be signing off on the contract because it relates to a state ward contract that the County Attorney's Office did not approve.

10 A) SALARY FOR DR. SANAT ROY AND B) ACCOUNTS RECEIVABLE CLERK - Dean Settle, Community Mental Health Center Director

A) Salary for Dr. Sanat Roy

Dean Settle, Community Mental Health Center (CMHC) Director, said Dr. Sanat Roy has had an increased workload related to CMHC hospital admissions, visits and consultations and requested authorization to increase his hours from 24 to 32 hours per week. He said there is Accounts Receivable Clerk II vacancy at CMHC and proposed hiring a part-time employee, with no benefits, for the remainder of the year (projected savings of \$32,500) to offset the cost of increased hours for Dr. Roy.

Eagan noted that Dr. Roy's productivity has been a concern. He also asked whether there is reimbursement from another source.

Settle said he is investigating whether there is any type of reimbursement available through Region V for the hospital hours that Dr. Roy is incurring.

MOTION: Campbell moved and Heier seconded to accept the plan, as outlined, for Dr. Roy and the Accounts Receivable Clerk II, provided that it complies with the Lancaster County Personnel Rules.

In response to a question from Stevens, Settle said Dr. Roy has billed the County for additional hours incurred dating back to September 4, 2002, the date his hours were reduced.

FRIENDLY AMENDMENT: Stevens offered a friendly amendment to make the increase in hours effective September 4, 2002.

The maker and seconder of the motion agreed to the friendly amendment.

ON CALL: Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

B) Accounts Receivable Clerk

It was noted that the request to fill a vacancy created by promotion relates to a Clerk Typist I position, not an Accounts Receivable Clerk.

MOTION: Campbell moved and Stevens seconded to allow the position to be posted. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

11 POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney; Dave Johnson, Deputy County Attorney

MOTION: Campbell moved and Hudkins seconded to enter Executive Session at 11:11 a.m. for discussion of potential litigation. Stevens, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

Heier asked that Deb Schorr, District 3 Commissioner-Elect, remain in the room.

MOTION: Heier moved and Campbell seconded to exit Executive Session at 11:55 a.m. Campbell, Hudkins, Workman and Heier voted aye. Stevens was absent from voting. Motion carried.

12 ATTENTION CENTER DEMOLITION - Don Killeen, County Property Manager

Don Killeen, County Property Manager, presented an estimate from David Wood Construction Inc. in the amount of \$24,792 for interior demolition work at the Attention Center facility (Exhibit E).

Stevens returned to the meeting at 11:58 a.m.

Campbell asked whether the inmate work crew could do the work.

Killeen said no, explaining that structural issues will make the work difficult.

Hudkins questioned whether the facility is worth the expense and suggested that total demolition may be a better course of action.

Killeen said improvement costs will be recovered through rent and said the work is necessary because the building does not meet current codes.

Heier asked that a decision be delayed to give Warren Cook, Coordinator for Adult Offender Services, a chance to assess whether it could be used for alternatives to incarceration.

The Board agreed but said Cook needs to be apprised of the fact that the building is in close proximity to an elementary school, nursing home and a residential area.

13 SALE OF SHERIFF'S MOTOR VEHICLES - Kathy Smith, Assistant Purchasing Agent

Kathy Smith, Assistant Purchasing Agent, reported on a request from Bill Jarrett, Chief Deputy Sheriff, to list seven (7) Sheriff's vehicles for sale (Exhibit F).

MOTION: Campbell moved and Hudkins seconded to allocate the surplus vehicles to other agencies as follows: County Assessor (3 vehicles); Community Mental Health Center (3 vehicles); and Weed Control Authority (1 vehicle) and stipulated that the County Assessor will be given first choice of vehicles. Stevens, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

14 ACTION ITEMS

- A. Agenda Items for Meeting with Lincoln Public Schools (LPS) and City Council

None were stated.

- B. Agenda Items for City-County Common Meeting

Heier said agenda items include the Comprehensive Plan amendments, gasoline tax and legislative issues. Discussion of whether to assign the cost of placing outdoor warning sirens in new subdivisions to the developers was suggested as a future agenda item.

15 CONSENT ITEM

- A. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Proxy for Nationwide

MOTION: Hudkins moved and Stevens seconded approval. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

16 ADMINISTRATIVE OFFICER REPORT

- A. Letter to the Lincoln Convention & Visitors Bureau (CVB) Review Committee

The Board reviewed a letter draft (Exhibit G) and asked that the third paragraph be deleted.

- B. Contract with Gordon Kissel for Legislative Services

Eagan said the scope of services is being worked out and said Kissel is working to meet the insurance requirements.

The Board scheduled review of the contract on the October 31, 2002 Staff Meeting agenda.

- C. Mayor's Infrastructure Finance Study Committee

Eagan said Gordon Kissel, Legislative Consultant, attended a meeting of the Infrastructure Finance Study Committee on the Board's behalf.

RETURNING TO ITEM 13

Terry Wagner, Lancaster County Sheriff, appeared in response to a request from the Board.

Workman said several communities in Lancaster County have expressed concern that their law enforcement services may be cut, due to the vehicle issue.

Wagner said his department is looking for ways to cut mileage for the fleet to make patrol vehicles last longer. One idea was to eliminate the extra dedicated coverage that is provided to some of the villages. He said he notified the villages that some services may be cut to save mileage and solicited their help. Wagner said the cuts will not apply to Hickman or Waverly, as those cities contract for a full-time employee, plus a vehicle.

In response to a question from Hudkins, Wagner said rates will be cut to correspond with the service cuts.

Campbell said the Board had asked Bill Jarrett, Chief Deputy Sheriff, and Norm Agena, County Assessor, to work together on the issue of the surplus vehicles, with the intent that \$30,000 budgeted in the Keno Fund for County Assessor's vehicles would be transferred to the Sheriff's budget for two new patrol cars. She said Board members were shocked by remarks at a meeting with village representatives on October 22, 2002 that services would be cut because the Board would not buy the Sheriff's Department two cars.

Stevens said he recently attended a meeting in Hickman and said a Sheriff's deputy had mentioned bicycle patrol as a possibility.

Wagner said "We're looking at that as well." He agreed to provide the Board with a copy of the letter that was sent out to the villages.

Campbell said a letter of clarification needs to be sent to the villages, with signature by both the Chair and Wagner.

Workman asked whether consideration has been given to running the patrol vehicles with higher mileage.

Wagner said there are a number of safety concerns.

Hudkins said he would like to make it clear that the County Board has the authority to regulate whether to sell surplus property or use it internally, not the elected official.

MOTION: Campbell moved and Hudkins seconded to transfer the \$30,000 allocated for County Assessor vehicles to the Sheriff's budget, contingent upon the County Assessor's acceptance of the surplus vehicles.

FRIENDLY AMENDMENT: Heier offered a friendly amendment to indicate that the funds are being reallocated, as was previously intended, and to indicate this in the letter to the villages.

The maker and seconder of the motion agreed to the friendly amendment.

ON CALL: Stevens, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

17 EMERGENCY ITEMS AND OTHER BUSINESS

Ron Melbye, Waverly Mayor, appeared and presented Campbell with a key to the City of Waverly and named her an honorary citizen of Waverly.

18 ADJOURNMENT

MOTION: Campbell moved and Hudkins seconded to adjourn the meeting at 1:08 p.m. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk